

Program Notice

FGIS PN-06-07

6-12-06

CONDITIONAL DISMISSAL OF MANDATORY AND SERVICE-ON-REQUEST STOWAGE EXAMINATION OF LAND CARRIERS AND DOMESTIC BARGES

1. PURPOSE

This program notice establishes a new policy which permits official personnel to proceed with performing other associated inspections services, such as official sample-lot inspection, after dismissing a mandatory or service-on-request stowage examination of a land carrier (e.g. railcar, and truck) or domestic barge, when conditions pose a potential safety risk to official inspection personnel.

2. BACKGROUND

A prior-to-loading stowage examination is required when an export or outbound domestic lot of grain is officially sampled and inspected at the time of loading, when an outbound lot of grain in a land carrier is officially weighed, or when an official checkloading service is requested. Previous GIPSA policy stated that unless the stowage space was examined and approved for loading, official personnel would not perform other related services (e.g., sampling) which required approval of the stowage space.

It is also GIPSA's policy to strive to eliminate employee exposure to existing and potentially hazardous working conditions. FGIS Directive 4790.9, dated 1/31/03, provides procedures when encountering hazardous conditions, and provisions for withholding official service when conditions pose a safety risk to GIPSA employees. FGIS Directive 9180.48 Stowage Examination Services also outlines safety procedures, and encourages non-Federal inspection personnel to follow the same guidelines.

3. POLICY

Prior to dismissing the stowage examination, official inspection personnel must immediately notify the applicant for service of the hazardous condition and provide the applicant an opportunity to correct the condition, if possible. If the hazardous condition can not be eliminated then official inspection personnel must dismiss performing the stowage examination.

If a stowage exam service is dismissed because of an existing unsafe condition, official personnel are permitted to perform other related services that typically require the examination and approval of the stowage space, provided that performing the other related service is considered safe by official inspection personnel.

4. CERTIFICATION

When the stowage area of a carrier is not examined, show in the remarks section of the Official Certificate and on the work records the statement "Stowage area not examined" (do not show the reason on the certificate).

As required, maintain a record of the dismissal and the reason. (§800.159 of the Regulations and Book IV, Chapter II, page 2-34, section 2.7).

5. QUESTIONS

Direct questions concerning this Program Notice to Mary Vick at (816) 823-4640.

/s/ John Giler

John Giler, Acting Director
Field Management Division